

**MINUTES FROM THE MEETING OF THE ST. CHARLES CITY COUNCIL
HELD ON MONDAY, JULY 21, 2014 – 7:00 P.M.
CITY COUNCIL CHAMBERS, IN THE CITY COUNCIL CHAMBERS
2 E. MAIN STREET ST. CHARLES, IL 60174**

- 1. Call To Order By Mayor Raymond Rogina At 7:01 P.M.**
- 2. Roll Call.**
Present: Stellato, Silkaitis, Payleitner, Lemke, Turner
Bancroft, Martin, Krieger, Bessner
Absent: Lewis
- 3. Invocation – Alderman Rita Payleitner**
- 4. Pledge of Allegiance.**
- 5. Presentations:**
 - Presentation of promotion and swearing in James Kurczek to Captain of the St. Charles Fire Department.
 - Presentation of promotion and swearing in Jason Peterson to Lieutenant of the St. Charles Fire Department.
- 6. Motion by Martin, seconded by Krieger to approve the Omnibus Vote as amended.**
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Martin, Krieger, Bessner
NAY: 0 ABSENT: Lewis
MOTION CARRIED
- *7. Motion by Martin, seconded by Krieger to accept and place on file minutes of the regular City Council meeting held on July 7, 2014.**
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Martin, Krieger, Bessner
NAY: 0 ABSENT: Lewis
MOTION CARRIED (Omnibus Vote)
- *8. Motion by Martin, seconded by Krieger to approve and authorize issuance of vouchers from the Expenditure Approval List for the period of 6/23/14 – 7/6/2014 in the amount of \$697,720.61.**
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Martin, Krieger, Bessner
NAY: 0 ABSENT: Lewis
MOTION CARRIED (Omnibus Vote)

I. New Business

II. Committee Reports

A. Government Operations

- *1. Motion by Martin, seconded by Krieger to accept and place on file the Minutes of the July 7, 2014, Government Operations Committee Meeting.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Martin, Krieger, Bessner
NAY: 0 ABSENT: Lewis
MOTION CARRIED (Omnibus Vote)
- *2. Motion by Martin, seconded by Krieger to approve a **Resolution 2014-63** Authorizing the Mayor and the City Clerk of the City of St. Charles to Waive the Bid Procedure and Accept Quote from Driessen Construction for Concrete Pad for Cable Storage.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Martin, Krieger, Bessner
NAY: 0 ABSENT: Lewis
MOTION CARRIED (Omnibus Vote)
- *3. Motion by Martin, seconded by Krieger to approve an **Ordinance 2014-M-18** Authorizing the Sale of Items of Personal Property Owned by the City of St. Charles (Miscellaneous Items).
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Martin, Krieger, Bessner
NAY: 0 ABSENT: Lewis
MOTION CARRIED (Omnibus Vote)

B. Government Services

- *1. Motion by Martin, seconded by Krieger to accept and place on file minutes of the June 23, 2014 Government Services Committee.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Martin, Krieger, Bessner
NAY: 0 ABSENT: Lewis
MOTION CARRIED (Omnibus Vote)

C. Planning and Development

- *1. Motion by Martin, seconded by Krieger to accept and place on file Plan Commission Resolution 11-2014 A Resolution Recommending Approval of an Application for a Special Use for two Drive-Through Facilities, Preliminary Plat of Subdivision and Final Plat of Subdivision for 2425 W. Main St –Buona St. Charles.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Martin, Krieger, Bessner
NAY: 0 ABSENT: Lewis
MOTION CARRIED (Omnibus Vote)
- *2. Motion by Martin, seconded by Krieger to approve an **Ordinance 2014-Z-15** Granting Approval of Special Use for two Drive-Through Restaurant Facilities, Preliminary Plat of

Subdivision and Final Plat of Subdivision (2425 W. Main Street – Buona Beef/St. Charles Subdivision).

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Martin, Krieger, Bessner

NAY: 0 ABSENT: Lewis

MOTION CARRIED (Omnibus Vote)

- *3. Motion by Martin, seconded by Krieger to accept and place on file Plan Commission Resolution 12-2014 A Resolution Recommending Approval of Applications for a Special Use for PUD and PUD Preliminary Plan for 600-660 S. Randall Road – Randall Shoppes (Dyn Rote LLC).

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Martin, Krieger, Bessner

NAY: 0 ABSENT: Lewis

MOTION CARRIED (Omnibus Vote)

- *4. Motion by Martin, seconded by Krieger to approve an **Ordinance 2014-Z-16** Granting Approval of Special Use for Planned Unit Development and PUD Preliminary Plan (600-660 S. Randall Road – Randall Shoppes).

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Martin, Krieger, Bessner

NAY: 0 ABSENT: Lewis

MOTION CARRIED (Omnibus Vote)

- *5. Motion by Martin, seconded by Krieger to approve a **Resolution 2014-64** Directing Staff to Issue a Revised Notice of Zoning Violation Granting ALE Solutions a 30-Day Extension to Vacate 1 W. Illinois St., Unit #120 (Fox Island Square).

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Martin, Krieger, Bessner

NAY: 0 ABSENT: Lewis

MOTION CARRIED (Omnibus Vote)

- *6. Motion by Martin, seconded by Krieger to approve an **Ordinance 2014-M-19** Amending Title 6 of the St Charles Municipal Code, Entitled “Animals”, Chapter 6.12 “Regulations”, by adding Section 6.12.095 “Residential Chickens”.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Martin, Krieger, Bessner

NAY: 0 ABSENT: Lewis

MOTION CARRIED (Omnibus Vote)

- *7. Motion to accept and place on file Plan Commission Resolution No. 6-2014 A Resolution Recommending Approval of a Final Plat of Subdivision and Final Engineering Plans for Dunham Creek Subdivision-2455 Dunham Rd. (Advanced Commodities Inc.).

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Martin, Krieger, Bessner

NAY: 0 ABSENT: Lewis

MOTION CARRIED (Omnibus Vote)

- *8. Motion by Martin, seconded by Krieger to approve an **Ordinance 2014-Z-17** Approving the Final Plat of Subdivision for Dunham Creek Subdivision (2455 Dunham Rd.).

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Martin, Krieger, Bessner

NAY: 0 ABSENT: Lewis

MOTION CARRIED (Omnibus Vote)

9. Motion By Stellato, seconded by Silkaitis to accept and place on file minutes of the July 14, 2014 Planning & Development Committee.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Martin, Krieger, Bessner

NAY: 0 ABSENT: Lewis

MOTION CARRIED

- Ald. Lemke made a reference to some confusion on a set of P&D Minutes but later withdrew his question.

D. No Executive Session

E. Additional Items from Mayor, Council, Staff, or Citizens

- Don Ramsell, 36W235 Riverview Court, St. Charles
 - I am here as Council for the St. Charles Moose Lodge 1368. We are asking for City Council to consider a limited video gaming ordinance for veteran's organizations and fraternal organizations only. The St. Charles Moose has been a member of this community in St. Charles for over 100 years. We are up to 1,000 members. We are a fraternal organization whose basic principals are to delivery charitable funds and activities to local charities, including Lazarus House, St. Charles East, St. Charles Youth Awareness, St. Charles North Stars baseball. To other suburbs have limited gaming ordinances unchallenged at this point, New Lenox and Evergreen Park. I have copies of those in my presentation folder. The Moose uses revenue; we would like to have additional revenue to provide continuing support and services around St. Charles. This is a wonderful way to do that. There have been studies that there is no increase in crime or service calls. We are a private organization. The people that are members there are your neighbors. We want to keep local revenue, local. We would return the funds from possible video gaming into the community for good purposes. We are asking the City Council to consider our request and we are hoping you give us the opportunity to increase the amount of services we render to the people who need it the most. I have copies of my presentation which includes our position and the ordinances from New Lenox and Evergreen Park, newspaper articles referencing other persons who are having this issue and we hope you take this under advisement. Thank you.
- Mayor Rogina
 - As further backdrop to this conversation. Mr. Ramsell did come to my office and make this request. I would not say no to his request to come here tonight. I would like to say to all of you, without any objection on your part, I would like to direct Staff to bring to Council committee for discussion and possible action and analysis of the ramifications of the Moose Lodge request that was made. And, at such Council committee meeting, Mr. Ramsell, any members of the Moose and/or any other citizen could provide public comment.

- Alder. Martin
 - Your comment was without objection, I object very strongly to the process of allowing video gambling in St. Charles.
- Mayor Rogina
 - With that, I would need a motion.
- Alder. Payleitner.
 - Council discussion at this juncture is not warranted at this time, I understand that. I would still like to take the opportunity to voice my passionate opposition to lifting the City's ban on video gambling.
- Mayor Rogina
 - As I understand both of your comments here, you don't even want to discuss the matter.
- Alder Payleitner
 - No
- Alder. Martin
 - Nor I.
- Mayor Rogina
 - Just want to understand.
- Alder. Payleitner
 - The role of Council is to support the local business and charities. The broader responsibility of Council is to look out for the wide reaching interests of our residents. I am strongly opposed to our government entities benefitting financially, which we would, in a "sucker's game." I believe that our role is to offer support to the citizens of St. Charles, not to take a cut of their being bamboozled. Which is how I see it. It does not bode well in my eyes that a fine organization like the Moose, or our veteran's organizations would be doing so as well.
- Alder. Martin
 - I would also add that people who loose are the people who can least afford it. And there is a strong addition to gambling. We don't need it in the City of St. Charles to survive.
- Alder. Bessner
 - What are the two communities you referenced?
- Mr. Ramsell
 - New Lenox and Evergreen Park
- Bessner
 - Are those ordinances only allow fraternal organizations?
- Mr. Ramsell
 - Veterans and fraternal organizations only, nothing else.
- Alder Martin
 - Should this Council override my objections, how many organizations are eligible to offer video gambling?
- Mayor Rogina
 - The only way to find that out is to instruct Staff to come back to a committee meeting and inform us. That way we could have a public discussion on the matter where

citizens could voice the pro and the con remarks on the subject. As well as, getting a further analysis of New Lenox and Evergreen Park. And we could find out what Batavia is doing with respect to same issue.

- Alder. Martin
 - I am not interested in any discussion.
- Mayor Rogina
 - I understand your and Alderman Payleitner's objections. I am giving any other member of the Council to comment. I am not going to direct Staff with anything with an objection here. If would have to come from a motion.
- Adler Stellato
 - We are getting into a discussion here. I am a member of the Moose, not the St. Charles Moose but I am a Moose member. I need to find out if I have a conflict. I will abstain tonight. And would ask if someone will let me know if I have a conflict.
- Mayor Rogina
 - Can I ask a question of Legal Council, since two objections have been raised tonight to direct Staff to come back with a presentation? I think personally it is helpful. I don't want to the Council to do something it doesn't want to do. I need direction here. Do I need a motion to direct Staff?
- John McGuirk
 - I think you need a motion.
- Mayor Rogina
 - I am going to ask Council here if there is somebody to make a motion to direct Staff to bring information to Council Committee for discussion and possible action an analysis of your presentation. And then at that meeting, have you; Moose and Council have a transparent discussion. So is there a motion? No, so I am not going to do that.

From my perspective, I understand the ramifications of City revenue based on such actions with respect to City revenue. I understand the whole issue on how Cities work.

- Alder. Martin
 - I don't want anyone to get the idea that I support raising taxes. I am the first one against them.
- Mayor Rogina
 - Shop and buy local.
 - Chief Schelstreet, Happy Birthday.
 - Alder. Silkiatis, Happy Birthday

F. Adjournment

Motion By Stellato, seconded by Krieger, to adjourn meeting

VOICE VOTE

UNANIMOUS

MOTION CARRIED

Meeting adjourned at 7:25 P.M.

Nancy Garrison, City Clerk

CERTIFIED TO BE A TRUE COPY OF ORIGINAL

Nancy Garrison, City Clerk